

E-filed 10/30/06

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9 Attorneys for Plaintiff and Specially-Appearing
 Counter-Defendant M. DIANE KOKEN

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN JOSE DIVISION

14 M. DIANE KOKEN,
 15 Plaintiff,

16 v.

17 STATECO INC. d/b/a STATECO INSURANCE
 SERVICES and THOMAS NATOLI, and XYZ
 18 CORPS. 1-10, and DOES 1 through 10, inclusive,
 Defendants.

Case No.: 5:05-CV-03007-JF

**FOURTH STIPULATION AND
 [PROPOSED] ORDER
 EXTENDING PLAINTIFF AND
 SPECIALLY-APPEARING
 COUNTER-DEFENDANT M.
 DIANE KOKEN'S TIME TO
 RESPOND TO AMENDED
 COUNTERCLAIM**

20 AND RELATED CROSS-ACTION

22 Defendants and Counter-Claimants Stateco Inc., doing business as Stateco
 23 Insurance Services, and Thomas Natoli (collectively "Stateco") and Plaintiff and
 24 specially-appearing Counter-Defendant M. Diane Koken, ("Koken") by and through their
 25 undersigned counsel, hereby stipulate as follows:

- 26 1. WHEREAS Stateco filed an amended counterclaim on May 2, 2006;
- 27 2. WHEREAS Koken and Stateco previously stipulated to extend the time for
- 28 Koken to respond to the amended counterclaim to permit the Court to rule on the Mutual

1 Companies' motion to dismiss Stateco's amended third party complaint before Koken
2 responded to the amended counterclaim;

3 3. WHEREAS on October 11, 2006, the Court granted the Mutual Companies'
4 motion to dismiss Stateco's amended third party complaint;

5 4. WHEREAS Stateco wishes to continue settlement negotiations with Koken;

6 5. WHEREAS the extension requested by Koken will not affect any court-
7 ordered deadlines; and

8 6. WHEREAS Koken may appear to file this stipulation without prejudice to
9 any motion to dismiss it may choose to file;

10 IT IS PROPOSED AND STIPULATED:

11 The date set for Koken to respond to Stateco's amended counterclaim will be
12 extended from October 31, 2006 to December 15, 2006.

13 IT IS SO STIPULATED.

14
15 DATED: October 24, 2006

BERLINER COHEN

16
17 By Laura Palazzolo
18 Laura Palazzolo
19 Attorneys for Defendants and Counter-
20 Claimants STATECO INC., dba STATECO
INSURANCE SERVICES and THOMAS
NATOLI

21 DATED: October 24, 2006

MORGENSTEIN & JUBELIRER LLP

22
23 By Wilson K. Park
24 Wilson K. Park
25 Attorneys for Plaintiff and Specially
26 Appearing Counter-Defendant M. DIANE
27 KOKEN
28

MORGENSTEIN & JUBELIRER LLP
Attorneys at Law
San Francisco

[PROPOSED] ORDER

IT IS SO ORDERED

DATED: October 27, 2006

By 
The Honorable Jeremy Fogel
United States District Court Judge

MORGENSTERN & JUBELIRER LLP
ATTORNEYS AT LAW
SAN FRANCISCO

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